IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

O R D E R

S.B.CRIMINAL MISC. PETITION NO. 1623/2006
(Smt. Kiran & Others Vs. State of Rajasthan & Anr.)

Date of Order : 12/12/2006

PRESENT

HON'BLE MR. JUSTICE H.R.PANWAR

Mr. Nagraj Goswami for the petitioners.
Mr. Ashok Upadhyay, public prosecutor for the State.

BY THE COURT:-

Heard learned counsel for the petitioners. Perused the order impugned.

By the instant criminal misc. petition under Section 482 Cr.P.C., the petitioners have challenged the order dated 8.12.2005 passed by Judge, Family Court, Jodhpur (for short 'the trial court' hereinafter) granting monthly allowance of interim maintenance in favour of the petitioners and against the non-petitioner No.2.

It is contended by learned counsel for the petitioners that the salary of the non-petitioner No.2 is Rs. 12,126/- per month, whereas the trial court granted monthly allowance of interim maintenance @ Rs. 2000/- i.e. Rs. 1000/- per month in

favour of petitioner No.1, Rs.500/- per month each in favour of petitioners No. 2 and 3 which is on lower side.

If the salary of the non-petitioner No.2 is more than Rs. 12000/- per month, then the monthly allowance of interim maintenance granted in favour of the three persons appears to be on lower side, but since the matter is at the interim stage and parties are yet to lead evidence, therefore, it would not be appropriate to interfere in the order impugned granting interim maintenance.

The petition is therefore, dismissed. The trial court is directed to decide the main application filed by the petitioners under Section 125 Cr.P.C. utmost expeditiously preferably within six months from the date of receipt of copy of this order.

(H.R.PANWAR),J.

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